

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Watson, et al.

Atty. Dkt. No.: 2245.054

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Examiner: Rebecca Anderson

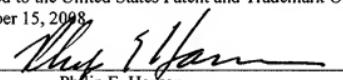
Group Art Unit: 1626

Title: IMMUNOMODULATORY COMPOSITIONS

Confirmation No.: 4048

Certificate of Electronic Submission

I hereby certify that this correspondence is being electronically submitted to the United States Patent and Trademark Office on September 15, 2008.


Philip E. Hansen
Agent for Applicants
Reg. No. 32,700

To: Commissioner for Patents
Alexandria, VA 22313-1450

RESPONSE TO SECOND REQUEST TO ELECT SPECIES

Dear Sir:

This is in response to the Supplemental Action mailed August 11, 2008, which set a one-month period for response. In light of a request for one-month extension and fee therefore, enclosed herewith, response is due October 11, 2008. This response is therefore timely filed.

Claims 1-44 were presented at the time of entry into the national phase under 35 USC 371. By preliminary amendment accompanying the filing, claims 1-44 were canceled and new claims 45-63 were entered. In response to a Restriction Requirement, claims 45-62 were elected; claim 63 is withdrawn from consideration. The action of August 11, 2008, requires election of a single species for examination. Applicants hereby elect without traverse the species of claim 46

in which R is hydrogen for the treatment of bacterial infection. This species is read upon by claims 45-48; 54-56; and 58-62.

If any additional fees are due, or an overpayment has been made, authorization is given to charge, or credit, U.S. Deposit Account No. 08-1935 for such sum. The Examiner is invited to contact Applicants' agent at the telephone number given below, if any further questions arise in connection with this Application.

Respectfully submitted,


Philip E. Hansen
Agent for Applicants
Reg. No. 32,700

Dated: September 15, 2008

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